

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA

Plaintiff

-VS-

MIGUEL HAWKINS

Defendant

:
:
: CASE NO. 1:06CR565
:
:
:

: ORDER ACCEPTING PLEA AGREEMENT
: AND JUDGMENT AND NOTICE OF
: HEARING
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the change of plea hearing and plea agreement of Miguel Hawkins which was referred to the Magistrate Judge with the consent of the parties.

On 6 December 2006, the government filed a three-count indictment against Ramal Hammond for conspiracy to distribute cocaine base and cocaine in violation of 21 U.S.C. § 846, and distribution of cocaine base in violation of 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C). On 7 December 2006, a hearing was held in which Miguel Hawkins entered a plea of not guilty before Magistrate Judge Patricia A. Hemann. On 22 March 2007, Magistrate Judge Vecchiarelli received Miguel Hawkins's plea of guilty and issued

a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Miguel Hawkins is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Miguel Hawkins is adjudged guilty of the lesser offense set forth in Count One of conspiracy to distribute cocaine base (crack) in violation of 21 U.S.C. § 846 and § 841(b)(1)(C).

Sentencing will be:


4 June 2007 at 2:00 p.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

4/10/07


UNITED STATES DISTRICT JUDGE